

Appl. No. 09/961,287
Amendment Under 37 C.F.R. 1.116 dated October 2, 2003
Reply to Final Office Action dated July 2, 2003

REMARKS

Entry of this amendment under 37 C.F.R. §1.116 is respectfully requested because it cancels claims, thereby placing the application in better form for appeal. No new matter is believed to be added to the application by this amendment.

Status of the Claims

Upon entry of this amendment claims 1-6 and 11-13 are pending in this application. Claims 7-10 and 14 are cancelled by this amendment. The amendments to claim 1 find support in the paragraph bridging pages 31 and 32 of the specification. Claims 2-6 and 11-13 have been amended to improve their language without reducing their scope.

Rejection under 35 U.S.C. § 103(a) over Honda

Claims 1-6 and 11-13 remain rejected under 35 U.S.C. § 103(a) as being obvious over Honda (U.S. Patent No. 5,851,700). Applicants traverse.

The Present Invention and its Advantages

isotropically scatters light. The light scattering layer has a regular phase

separation structure having at least a bicontinuous phase structure formed by wet or dry spinodal decomposition. The invention is typically embodied by instant claim 1, which sets forth:

1. A light-scattering sheet comprising a light-scattering layer which comprises a plurality of resins varying in refractive index and scatters an incident light isotropically, wherein the light-scattering layer has a ratio of a linearly transmitted light to an incident light of 0.1 to 15% and has a phase separation structure having an average interphase distance of 3 to 15 μm ,

wherein the light-scattering layer has a regular phase separation structure having at least a bicontinuous phase structure formed by spinodal decomposition selected from the group consisting of a dry spinodal decomposition by heating a solid phase containing the plurality of resins and a wet spinodal decomposition by evaporating or removing a solvent from a liquid phase containing the plurality of resins.

An important aspect of the invention lies in that the light-scattering layer has a regular phase separation structure having at least a bicontinuous phase structure formed by spinodal decomposition. The spinodal decomposition can be a dry spinodal decomposition by heating a solid phase containing resins. Alternatively, the spinodal decomposition can be a wet spinodal decomposition by removing a solvent from a resinous liquid phase.

Distinctions of the Invention over Honda

The inability of Honda to suggest the invention has been discussed in the Amendment filed April 15, 2003. Honda fails to disclose or suggest the claimed spinodal decomposition.

Honda pertains to a filter for a liquid crystal display device having a diffusing plate. Claim 1 of Honda sets forth:

A method for widening a view angle of a liquid crystal display device comprising fitting a filter to a liquid crystal display device, wherein said filter comprises a light diffusing plate which is obtained by shaping into a film a composition comprising at least two photopolymerizable oligomers or monomers having refractive indexes which differ by at least 0.01 and irradiating ultraviolet light on said film of the composition, wherein the polymerizable oligomers or monomers have acrylate functional groups. (claim 1 of Honda)

The light diffusing plate of Honda is fundamentally different from that of the invention. Honda recites:

The filter comprising the light diffusing plate...is produced by utilizing a property of the composition comprising the specific photopolymerizable monomers or oligomers that they are photopolymerized and cured while causing a phase separation by the irradiation of the UV light. This method can produce the filter comprising a refractive index modulating type smooth light diffusing plate having a domain gap of 1 to 20 μm , without the use of a mask during the UV light irradiation. Since the separated phases have a continuous interface between them, no light is reflected at the interface when light passes through the obtained filter, so that the

Honda, however, fails to disclose or suggest i) regularity of phase separation structure, and ii) specific spinodal decomposition. Concretely, though Honda discloses photopolymerization and curing with the UV light, Honda fails to teach or suggest not only dry spinodal decomposition by heating a solid phase, but also wet spinodal decomposition by evaporating or removing a solvent from a liquid phase.

That is, the spinodal decomposition of the present invention has considerably differences from Honda's production method. Thus the plate of Honda does not have a regularity of a phase separation structure (column 4 of Honda, lines 59-60; "Since this filter does not have a structure with regularity unlike the phase lattice it does not form any Moiré fringe.").

A person having ordinary skill in the art, as a result, would not be motivated by Honda to produce the invention as is embodied by claim 1. Claims dependent upon claim 1 are patentable for at least the above reasons alone. Thus a *prima facie* case of obviousness has not been made over Honda.

This rejection is accordingly overcome and withdrawal thereof is respectfully requested.

Conclusion

In the present application, the Examiner is respectfully requested to contact Robert R.

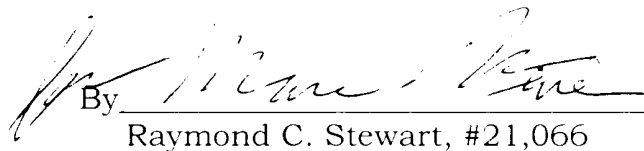
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Goozner, Ph.D. (Reg. No. 42,593) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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